



PUBLISHED BY AUTHORITY

No. 25] NEW DELHI, SATURDAY, SEPTEMBER 23, 1950

## NOTICE

The undermentioned Gazettes of India Extraordinary were published during the week ending the 20th September 1950 :—

S. No.	No. & Date	Issued by	Subject
1	S. R. O. 582, dated the 11th September 1950.	Ministry of Industry and Supply.	Empowering the officers to sanction prosecutions in the State of Madras under section 17 of the Supply and Prices of Goods Ordinance, 1950.
	S. R. Os. 583 & 584, dated the 11th September 1950.	Ditto . .	Orders under section 22 of the Supply and Prices of Goods Ordinance, 1950 in respect of certain goods.
	S. R. O. 585, dated the 11th September 1950.	Ditto . .	Exercising of the powers under section 22 of the Supply and Prices of Goods Ordinance, 1950 by the officers in the State of Orissa.
	S. R. O. 586, dated the 11th September 1950.	Ditto . .	Empowering all the District Magistrates in the State of Orissa to sanction prosecutions under section 17 of the Supply and Prices of Goods Ordinance, 1950.
2	S. R. O. 587, dated the 7th September 1950.	Ditto . .	Amendment in the Salt (Reserve Stocks) Order, 1950.
	S. R. O. 588, dated the 12th September 1950.	Ditto . .	Salt Control Order, 1950.
3	S. R. O. 589, dated the 12th September 1950.	Ministry of Home Affairs.	Amendment in the Ministry of Home Affairs Notification No. 8/14/48-Judicial, dated the 5th July 1950.
4	S. R. O. 590, dated the 12th September 1950.	Ministry of Industry and Supply.	Directing the powers under section 16 of the Supply and Prices of Goods Ordinance, 1950 in the State of West Bengal.
	S. R. O. 591, dated the 12th September 1950.	Ditto . .	Empowering the Officers to sanction prosecutions in the State of West Bengal under section 17 of the Supply and Prices of Goods Ordinance, 1950.

S. No.	No. & Date	Issued by	Subject
	S. R. O. 592, dated the 12th September 1950.	Ministry of Industry and Supply.	Exercising of the powers under section 22 of the Supply and Prices of Goods Ordinance, 1950 by certain officers in the State of West Bengal.
5	S. R. O. 593, dated the 12th September 1950.	Ministry of Commerce.	Amendment in the Open General Licence No. XX, dated the 5th August 1950.
6	S. R. O. 594, dated the 13th September 1950.	Ministry of Industry and Supply.	Cotton Control Order, 1950.
	S. R. O. 595, dated the 13th September 1950.	Ditto . .	Amendments in the Textile Commissioner's Notification No. 1 (57)-Tex. 2/50, dated the 21st August 1950.
	S. R. O. 596, dated the 13th September 1950.	Ditto . .	Amendment in the Textile Commissioner's Notification No. 1 (33)-Tex. 2/49 (iii), dated the 12th September 1950.
	S. R. O. 597, dated the 13th September 1950.	Ditto . .	Restriction on the transport of cotton by rail, road or water
7	S. R. Os. 598 & 599, dated the 13th September 1950.	Ditto . .	Exercising of the powers under sections 22 and 17 of the Supply and Prices of Goods Ordinance, 1950 by certain Officers in the State of Bombay.
8	S. R. O. 600, dated the 15th September 1950.	Ministry of Works, Mines and Power.	Indian Boiler Regulations, 1950.
9	S. R. O. 615, dated the 13th September 1950.	Ministry of Rehabilitation.	Amendment in Notification No. 3(14) Genl/5011, dated the 27th May, 1950.
10	S. R. Os. 616 & 617, dated the 15th September 1950.	Ministry of Industry and Supply.	Empowering the authorities in their respective jurisdictions to exercise powers under section 22 of the Supply and Prices of Goods Ordinance, 1950.
	S. R. O. 618, dated the 15th September 1950.	Ditto . .	Empowering the Officers to sanction prosecutions under section 17 of the Supply and Prices of Goods Ordinance, 1950.
	S. R. O. 619, dated the 15th September 1950.	Ditto . .	Exercising of the powers in the State of Assam under section 22 of the Supply and Prices of Goods Ordinance, 1950.
11	S. R. O. 620, dated the 15th September 1950.	Ministry of Food.	Amendment in Notification No. S. R. O. 394, dated the 17th August, 1950.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

## PART II—Section 3

**Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).**

**MINISTRY OF HOME AFFAIRS**

*New Delhi the 14th September 1950*

**S. R. O 622**—The Central Government is pleased to direct that the following amendment shall be made in the Ministry of Home Affairs Notification No 9 33 50 Police(I), dated the 8th June 1950 namely

In para 2 of the said notification for the words '31st day of August, 1950' the words '30th day of November 1950' shall be substituted

[No 9/33/50 Police(I)]

*New Delhi the 15th September 1950*

**S. R. O 623**—In exercise of the powers conferred by sections 17 and 27 of the Indian Arms Act, 1878 (XI of 1878) the Central Government is pleased to direct that the following further amendment shall be made in the Indian Arms Rules 1924 namely --

In the Table set forth in Schedule VII to the said rules for item (II) the following item shall be substituted namely --

- | (i)  | (ii)   |
|--|--|
| (11) Such licensees of Punjab as are issued arms licences and are supplied with arms and ammunition by Government under the village Defence Scheme | Such arms and ammunition as are supplied by Government " |

[No 9 52/50 Police(I)]

*New Delhi, the 18th September 1950*

**S. R. O 624.** In exercise of the powers conferred by sections 1, 10, 17 and 27 of the Indian Arms Act 1878 (XI of 1878), the Central Government is pleased to direct that the following further amendments shall be made in the Indian Arms Rules, 1924 namely --

In subrule (2) of rule 1, of the said rules after entry (c) the following entries shall be inserted namely

- (f) Himachal Pradesh
- (g) Bilaspur
- (h) Kutch

[No 9/31/50 Police (I)]

**S. R. O 625**—In exercise of the powers conferred by Section 27 of the Indian Arms Act 1878 (XI of 1878) the Central Government is pleased to exempt Mr R L M Grant General Manager Reed and Mallik Ltd from the prohibitions and directions contained in section 6 of the Indian Arms Act 1878 in respect of a Smith and Wesson Six Chamber 38 calibre revolver

[No. 9/51/50 Police (I)]

**S R. O 626**—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878) the Central Government is pleased to exempt Lt Col India Bahadur Singh of the Nepal Army from the operation of the prohibitions contained in section 6 of the said Act in respect of a .38 bore Webley Revolver with twenty five cartridges

2 The exemption shall be valid for a period of two months from the date of the issue of this notification

[No 9/61/50 Police (I) ]

U K GHOSAL, Dy Secy

*New Delhi, the 18th September 1950*

**S R. O 627**—In exercise of the powers conferred by clause (1) of article 243 of the Constitution, the President is pleased to direct that the Chief Commissioner, Andaman and Nicobar Islands, shall subject to the control of the President exercise the powers of a State Government under section 19A of the Andaman and Nicobar Islands Regulation, 1876 (Regulation III of 1876)

[No 64/90/49 AN ]

E C GAYNOR, Dy Secy

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### MINISTRY OF EXTERNAL AFFAIRS

*New Delhi, the 18th September 1950*

**S R. O 628**—The following draft of certain further amendments to the Indian Pilgrim Ships Rules, 1938, which it is proposed to make in exercise of the powers conferred by sub section (1) of section 213 of the Indian Merchant Shipping Act, 1923 (XXI of 1923), is published as required by sub section (3) of that section, for information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 30th September 1950

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government

#### *Draft Amendments.*

In the said rules—

- (1) in sub rule (1) of rule 124 for the words “the Central Government”, the words “the Government of the State concerned” shall be substituted,
- (2) in sub-rule (1) of rule 125 for the words “by the Central Government” the words “by the Government of the State concerned” shall be substituted

[F 14-1/50 AWT(H)]

LEJLAMANI NAIDU, Dy Secy

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### MINISTRY OF FINANCE (REVENUE DIVISION)

#### CENTRAL EXCISES

*New Delhi, the 23rd September 1950*

**S R. O 629**—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government is pleased to

direct that the following further amendment shall be made in the Central Excise Rules, 1944, namely:—

In the said Rules, after rule 14, the following rule shall be inserted, namely:—

14-A *Penalty for failure to furnish proof of export within the prescribed period.*—Where any person who has exported excisable goods in bond in accordance with the provisions of rule 13 or 14 fails to furnish proof of such export to the satisfaction of the Collector in the manner laid down in any notification issued under rule 12, he shall, upon a written demand being made by the proper officer, forthwith pay the duty leviable on such goods, and shall also be liable to a penalty which may, subject to a maximum of two thousand rupees, extend to twice the amount of the duty.

[No. 23]

D. P. ANAND Dy. Secy.

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HEADQUARTERS ESTABLISHMENT

New Delhi, the 23rd September 1950

**S. R. O. 630.**—In continuation of the Ministry of Finance (Revenue Division) Notification No. 41 Headquarters Establishment, dated the 16th September 1950, the following Notification by the Income-tax Investigation Commission is published for general information:—

“NOTIFICATION

It is notified for general information that the Income-tax authority mentioned in column (1) of the table attached to this notice has been authorised by the Income-tax Investigation Commission to be an Authorised Official with effect from the 9th September 1950 under Section 6 of the Taxation on Income (Investigation Commission) Act, 1947, and that under the provisions of the said Act, any person (including a person whose case is *not* under investigation) who is required by the said Authorised Official, in the course of his investigation,

- (1) to produce accounts or documents; and/or
- (2) to give information in respect of such accounts or documents; and/or
- (3) to attend in person and answer question on oath; and/or
- (4) to make or prepare statements on oath giving information on specified matters.

shall be bound to comply with his requirements, notwithstanding anything in any law to the contrary. Failure to comply with the requirements of the said Authorised Official may amount to an offence under Chapter X of the Indian Penal Code.

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Name and designation of the Authorised Official.	Address of the Headquarters office of the Authorised Official.
Mr. K. V. Subramania Ayyar, Income- tax Officer, Vizianagaram.	Income-tax Officer, Vizianagaram.

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NEW DELHI ;  
11th September 1950.

H. S. RAMASWAMI,  
Secretary, Income-tax Investigation Commission.”

[No. 43]

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A. V. VENKATESWARAN, Dy. Secy.

*New Delhi, the 23rd September 1950*

**S. R. O. 631** - In pursuance of sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922) and in partial modification of its notification No. 32 Income-tax, dated the 9th November 1946, the Central Board of Revenue directs that the Appellate Assistant Commissioner of Income-tax, Tiruchirappalli, shall also and Appellate Assistant Commissioner of Income-tax, Coimbatore shall not perform his functions in respect of persons specified in column 4 of the schedule hereto annexed for the appeals mentioned in the corresponding entry in column 2 thereof:—

## SCHEDULE

S. No.	No. of appeal	Assessment year	Name and address of assessee
1	2	3	4
1.	77/1948-49	1947-48	The Standard Tile and Clay Works Ltds., Feroke.
2.	1064/1947-48	1943-44	Mr. M. Kumaran, of Messrs. M. Moorthorakutty & others, Eranielapalem.
3.	695/1947-48	1947-48	P. Mohideen Koya Hajee Estate, Calicut.
4.	707/1947-48	1947-48	Mr. Yusuf Sagar Abdulla, Merchant and Commission Agent, Beach Road, Calicut.
5.	330/1949-50.	1945-46	Mr. Koraparambil Imbichi, Merchant, Calicut.

[No. 109.]

**S. R. O. 632.**—In pursuance of sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922) and in partial modification of its Notification No. 32 Income tax, dated the 9th November 1946, the Central Board of Revenue directs that the Appellate Assistant Commissioner of Income-tax, A Range, Delhi, shall also and the Appellate Assistant Commissioner of Income-tax, Amritsar, shall not perform his functions in respect of Mr. M. N. Mehta, former Proprietor A. Dinshaw & Co, Ferozepur Cantt. for his appeal against the assessment for 1948-49.

[No. 110.]

**S. R. O. 633.**—In pursuance of sub-section (4) of section 5 of the Indian Income tax Act, 1922 (XI of 1922) and in partial modification of its Notification No. 32 Income-tax, dated the 9th November 1946, the Central Board of Revenue directs that the Appellate Assistant Commissioner of Income-tax, "C" Range, Calcutta, shall also and the Appellate Assistant Commissioner of Income-tax "B" Range, Delhi, shall not perform his functions in respect of Mr. I. M. Meyer for his appeal No. 123/46-47

[No. 111.]

Income-tax Act, 1922 (XI of 1922) and in partial modification of its Notification No. 32 Income-tax, dated the 9th November, 1946, the Central Board of Revenue directs that the Appellate Assistant Commissioner of Income-tax, Kanpur Range, shall also and the Appellate Assistant Commissioner of Income-tax, Meerut Range, shall not perform his functions in respect of Messrs. Bandi Lal Chandel Pershad, Dehradun, for their appeal against the assessment for the year 1945-46.

[No. 112.]

**S. R. O. 635.**—The following draft of a further amendment to the Indian Income-tax Rules, 1922, which the Central Board of Revenue proposes to make in exercise of the powers conferred by sub-section (1) of section 59 of the Indian Income-tax Act, 1922 (XI of 1922), is published as required by sub-section (4) of the said section, for the information of all persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration on or after the 9th October 1950. Any objection or suggestion which may be received in respect of the said draft on or before the date specified will be considered by the said Board.

*Draft Amendment*

After Rule 1 of the said Rules, the following rule shall be inserted, namely:—

“1A. They extend to the whole of India, except the State of Jammu and Kashmir.”

[No. 113.]

**S. R. O. 636.**—In pursuance of sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue directs that the following further amendment shall be made in its notification No. 32 Income-tax, dated the 9th November 1946, namely:—

In the Schedule appended to the said Notification under the sub-head ‘II Bombay City’ for the Ranges and Income-tax Circles and Wards specified against them, the following Ranges, Income-tax Circles and Wards shall be substituted, namely:—

Bombay ‘A’—

A-I Ward.

A-II Ward.

A-III Ward.

A-IV Ward.

A-V Ward

Bombay ‘B’—

Companies Circle I.

Companies Circle II.

Companies Circle III.

Companies Circle IV.

Market Ward.

Bombay ‘C’—

C-III Ward.

C-IV Ward.

Bombay 'D'—

B-I Ward

B-II Ward.

B-III Ward.

Bombay 'E'—

Bombay Circle I.

Bombay Circle II.

Bombay Circle III.

Bombay Circle IV.

Bombay Circle V.

Bombay Circle VI.

Bombay Circle VII.

Bombay Circle VIII.

Bombay Circle IX.

Bombay Circle X.

Bombay Circle XI.

Bombay Circle XII.

Bombay Circle XIII.

Bombay Circle XIV.

Bombay Circle XV.

Bombay Circle XVI.

Central Circle IX.

Central Circle X.

Bombay 'F'—

Central Circle I.

Central Circle II.

Central Circle III.

Central Circle IV.

Central Circle V.

Central Circle XI.

Bombay 'G'—

C-I Ward

C-II Ward.

Bombay 'H'—

D-I Ward.

D-II Ward

E-Ward.

Bombay 'K'—

G-Ward.

N. R. R. C.

B.R.C.



B.S.D.  
S.B. I.  
S.B. II  
Special Circle I.  
Special Circle II.  
Special Investigation Branch.  
Bombay 'L'—  
Central Circle VI.  
Central Circle VII  
Central Circle VIII.

[No. 114.]  
PYARE LAL, Secy.

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### CUSTOMS

*New Delhi, the 23rd September 1950*

**S. R. O. 637.**—In exercise of the powers conferred by section 9 read with section 100 of the Sea Customs Act, 1878 (VIII of 1878) and all other powers enabling it in that behalf the Central Board of Revenue is pleased to prescribe the following rules for the manufacture or repairs of vessels from material imported by the Scindia Steam Navigation Company Limited and warehoused by them under the provisions of section 92 of the said Act in their private bonded shipyard at Gandhigram, Visakhapatnam licensed under section 16 of the said Act, namely:—

#### *Rules*

1. (i) An application for permission generally to manufacture or repair vessels in bond shall be made through the Collector of Central Excise, Madras to the Central Board of Revenue.

(ii) Where permission has been granted generally by the Central Board of Revenue under sub-rule (i), the Collector of Central Excise may allow bonding of the entire shipyard.

2. The company obtaining such permission shall enter into a bond in the form set out in the Appendix to these rules:

- (i) to provide such bonded shipyard as may be required to the satisfaction of the Customs Collector;
- (ii) to provide such offices (including furniture and fittings) as may be required by the Customs Collector for his staff;
- (iii) to observe all such rules as may be prescribed in respect of manufacture or repairs of the vessels in bond;
- (iv) to observe all the conditions of the licence for a private warehouse granted under Section 16 of the Sea Customs Act;
- (v) to maintain a detailed account of all materials consumed in connection with the operations in bond and to keep such accounts open to inspection by any officer of Customs whenever demanded;
- (vi) to submit a detailed statement of all materials used or fitted on a vessel whenever required by the Customs Collector;

if any, at 6 per cent. per annum on the same from the date of such demand in respect of imported material and packing which have not been accounted for to the satisfaction of the Customs Collector and to discharge all penalties incurred for the violation of the rules framed for the purpose;

- (viii) to pay all the charges including pay, allowances, leave and pensionary charges of such establishment as may from time to time be appointed by the Central Board of Revenue for the supervision of such manufacture or repair.

3. In the case of fraud committed or attempted to be committed by the Company or by any person in their employ, the goods in respect of which such fraud has been committed or attempted shall be liable to confiscation and the bond shall be liable to forfeiture, in addition to any other penalty that may be imposed under clauses 1 and 41 to 53 of the schedule to Section 167 of the Act

4. The Company shall, whenever they desire to take imported non-duty paid material into use for the manufacture or repairs of vessels in bond, submit an issue application to the Bond officer specifying the bond numbers, marks, quantity, description and value of the stores that are required. They should also submit a separate statement showing the various domestic (including duty paid) material intended to be used.

5. (a) On receipt of the application, the Bond officer shall, after recording all the particulars in the register maintained for the purpose and in the Bond register check and permit removal of such bonded material.

Indian and duty paid foreign material specified in the application shall be allowed by the Bond officer to be brought into the shipyard for use in connection with the operations in the shipyard. No material shall otherwise be brought into the shipyard.

(b) The Collector of Central Excise may make regulations from time to time prescribing conditions for the use of such bonded material in the shipyard as may be required to undergo a process of manufacture before they are ready to be used in the manufacture or repairs of a vessel.

(c) The machinery necessary in the factory for the manufacture or repairs of vessel and consumable stores for the maintenance of that machinery must either be indigenous or duty paid.

(d) All durable containers of material (non-duty paid) emptied as a result of the operations in bond shall be cleared by the Company on payment of duty (at the rate of duty applicable to such containers). The Company may, however, utilise these empty containers for the shipment of their goods *ex-bond*. A detailed record of such use shall in these cases be maintained.

6. In the case of material taken for home consumption, duty shall be levied on the non-duty paid material contained in the consignment so cleared. The rate of duty applicable shall be the rate in force on the day when the goods are actually cleared from the shipyard and the valuation shall be on the basis of the value of the material at the time of bonding.

7. The Customs Collector at the request of the Company may cause or permit any refuse, damaged or surplus goods remaining after such manufacture or repairs or at the like request any goods that may not be worth the duty thereon to be destroyed and may remit the duty, if paid, thereon.

8. The Customs Collector may at his discretion have samples drawn at any stage of manufacture for the purpose of such examination and test as he deems fit.

samples by the Company in such quantities as he deems fit. Duty calculated in the manner stated in rule 6 above shall be leviable on such samples.

10. The bonded shipyard shall be under Customs supervision at all times and no work shall be done except under Customs supervision. The company shall bear the cost of such supervision.

11. All storage sheds containing imported material shall be pallocked and the keys shall remain in the custody of the Bond officer.

12. No abatement of duty shall be allowed on material that has deteriorated after it is warehoused.

13. The Company shall give three months' prior notice to the Customs Collector in case they decide to debond the shipyard. They should also pay the duty due on all goods remaining in bond before the date of debonding.

14. (i) On ordinary working days the hours of work shall be any period of 8 hours between 6 A.M. and 6 P.M. as may be convenient to the company. Overtime fees shall be payable by the bonders for any work in excess of this period. Attendance of the Bond officer or any other officer of Customs required outside these hours may be arranged for on timely notice being given to the Customs Collector on payment of the usual overtime fees.

(ii) Work on holidays, other than closed holidays, may also be permitted subject to the payment of overtime fees.

(iii) Work will not be permitted ordinarily on Sundays and closed holidays, but may in exceptional circumstances be permitted by the Customs Collector on payment of overtime fees at the rate of Rs. 2 per hour per officer, subject to a minimum of Rs. 10 per officer.

## APPENDIX

### FORM OF BOND

Know all men by these present that.....  
we,..... and now of.....  
are bound to the President of India in the sum of Rupees ten lakhs to be paid to the President of India on demand for which payment we bind ourselves and each of us, our and each of our heirs and legal representatives.

And we do hereby for ourselves and each of us, our and each of our heirs and legal representatives covenant with the President of India his successors and assigns that if any suit shall be brought touching the subject matter of this obligation or the condition hereunder written in any Court subject to the superintendence of the High Court of Judicature at.....  
other than the said High Court in its original jurisdiction, the same shall and may at the instance of the President of India or any officer authorized by him in this behalf be removed into, tried and determined by the said High Court in its extraordinary original jurisdiction.

Sealed with our seal(s) dated this.....day of.....

Whereas the above bounden.....  
have applied to the Central Board of Revenue and obtained permission to remove from the Custom House at Visakhapatnam to the bonded shipyard at Gandhigram all the materials, machinery, appliances and equipment (or such portion thereof as may be required) which the said.....  
may from time to time import from foreign ports without payment of the duty payable thereon under the Indian Tariff Act, 1934 (XXXII of 1934) for the manufacture or repairs of vessels under Customs supervision in the aforesaid shipyard.

And if the said.....shall observe all the rules prescribed in the Sea Customs Act, 1878 (VIII of 1878) to be observed by owners of goods warehoused and by persons obtaining permission to warehouse goods under the provisions thereof and all rules now or hereafter to be prescribed in respect of bonded shipyards.

And if the said.....shall pay to the Officer-in-charge of the Custom House at the Port of Visakhapatnam all dues whether Customs duties, warehouse dues rent or other lawful charges which shall be demandable on the said goods or on account of penalties incurred in respect of them within.....from the date of demand thereof being made in writing by the said Officer-in-charge of the Custom House or within such further time as the Chief Customs Authority shall allow in that behalf together with interest on every such sum at the rate of 6 per cent. per annum from the date of such demand.

And if within the conditions so fixed or enlarged in respect of the said goods or any portion thereof having been removed from the said shipyard for home consumption or re-exportation by sea the full amount of all Customs duties, and other lawful charges, penalties and interest demandable as aforesaid shall have been first paid on the whole of the said goods.

And if the said.....shall pay the emoluments and other incidental charges of such establishment as shall from time to time be appointed by the Central Board of Revenue for the supervision of such manufacture as aforesaid. Then this obligation shall be void. Otherwise and on breach or failure in the performance of this condition or any part thereof the same shall be in full force.

Signed and delivered by the above  
bounden in the presence of

[No 129.]

D. P. ANAND, Secy.

## MINISTRY OF COMMERCE

### MERCHANT SHIPPING

*New Delhi, the 23rd September 1950*

**S. R. O. 638.**—In exercise of the powers conferred by the sections of the Indian Merchant Shipping Act, 1923 (XXI of 1923), specified in the first column of the Schedule annexed to the notification of the Government of India in the Ministry of Commerce No. 11-M I (3)/48, dated the 1st October, 1949, the Central Government is pleased to direct that the following amendments shall be deemed to have been made in the said notification with effect from the date noted against each, namely:—

In the third column of the said Schedule—

- (i) for the words "The Assistant Shipping Master, Vizagapatam" wherever they occur the words "The Ship Surveyor, Mercantile Marine Department, Visakhapatnam" shall be substituted.

- (ii) for the words "Deputy Port Conservator" the words "The Ship Surveyor, Mercantile Marine Department, Visakhapatnam" shall be substituted

[No. 106-M.I.(2)/45]

H. C. SARIN, Dy Secy.

*New Delhi, the 23rd September 1950*

**S. R. O. 639.**—*Corrigendum.*—In this Ministry's Notification of even number dated the 5th August, 1950, for the words "The Chairman, Bombay Port Trust, or his representative" the words "The Chairman, Bombay Port Trust, or an officer of the Port Trust deputed by him on his behalf" shall be substituted.

[No. 30-M I(7)/49-M T]

LACHHMI NARAIN, Asstt. Secy.

## MINISTRY OF INDUSTRY AND SUPPLY

*New Delhi, the 5th September 1950*

**S. R. O. 640**—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that the following amendments shall be made in the Colliery Control Order, 1945, as continued in force under section 17 of the said Act, namely:—

- (1) In clause 8 after the words "including directions as to the", the words "grade, size and quantity of coal which may be disposed of and" shall be inserted
- (2) After clause 10, the following clause shall be inserted, namely:—

"10A(1) The Coal Commissioner with the Government of India may, by order in writing direct, that any coal despatched by any colliery owner, or a person acting on behalf of a colliery owner, to any person, which is in transit, shall, subject to such terms and conditions, if any, as the said Coal Commissioner deems fit, be diverted and delivered to another person specified in the order

*Explanation.*—For the purposes of this clause coal shall be deemed to be in transit from the time when it is delivered to a carrier or other bailee for transmission to the consignee thereof and until the consignee or his agent has taken actual delivery of the entire quantity of coal from such carrier or other bailee.

- (2) As soon as an order is made under sub-clause (1), all the rights of the consignee, the owner of the colliery, or other person in the said coal shall subject to the terms of the order devolve upon and vest in the person to whom the coal is to be delivered under the said order.
- (3) The Coal Commissioner with the Government of India may if he thinks fit modify or cancel any order made under sub-clause (1) and direct the coal to be diverted or delivered to a person other

than the person originally named therein and the provisions of this clause shall thereupon apply as if such person was the consignee of the coal

- 1) The person to whom coal is delivered under any order made under clause (1) or clause (3) shall pay such price including freight, loading insurance and other charges and to such person as the Coal Commissioner with the Government of India may direct.
  - (c) Where an order is made under sub clause (1), there shall be paid to the consignee of the coal such compensation as the said Coal Commissioner considers reasonable. Such compensation may at the option of the said Coal Commissioner be either —
    - (a) by delivery to such consignee by the Central Government of the same quantity of coal of same or similar quality, size and grade and at the same place, as soon as coal for such purpose is available or
    - (b) by payment to such consignee by the Central Government of monetary compensation consisting of the price of coal paid by him and such freight insurance loading and other lawful charges incurred by him as are allowed by the said Coal Commissioner.
- Provided that where the consignee fails to produce before the said Coal Commissioner satisfactory evidence regarding the price of coal paid and other charges incurred by him the said Coal Commissioner may fix the amount of compensation according to the best of his judgment.
- Provided further that where compensation under clause (a) is not made within 90 days from the date of the order under sub-clause (1) the consignee shall be entitled to compensation under clause (b).
- (6) Where any person other than the consignee claims any interest in the said compensation or the consignee fails to accept the said compensation within 15 days after notice requiring him to do so the said Coal Commissioner may fix the amount of compensation under sub clause (b) of clause (5) and after such enquiry as he thinks fit specify the person to whom such compensation shall be paid.
  - (7) The decision of the said Coal Commissioner regarding the amount of compensation and the person to whom such compensation is payable, shall be final.
  - (8) Where a consignee is compensated in the manner provided in sub clause (5) neither he nor any other person claiming under him shall have any further claim upon the Coal Commissioner with the Government of India or upon the Central Government in respect of the said compensation or otherwise whatsoever.
  - (9) The payment of the compensation fixed under sub-clause (b) of clause (5) to a person specified by the Coal Commissioner with the Government of India under sub clause (6) shall be a full discharge of the Central Government and the said Coal Commissioner from all liabilities in respect of the coal specified in the order made under sub clause (1) to which such compensation relates and of all other claims arising out of the said order or otherwise whatsoever.
  - (10) Nothing contained in sub clauses (8) and (9) shall prejudice any rights in respect of the said Coal including a right to receive

compensation to which any person may be entitled under the law against the consignee or a person to whom compensation is paid under 15 days.

- (11) Any order made under this clause may be served upon the person affected thereby either by registered letter addressed to such person at his place of residence or the last known place of residence or by publication in the Official Gazette of the State where he ordinarily resides.
  - (12) The powers conferred upon the Coal Commissioner with the Government of India under this clause may be exercised in the like manner and subject to the like conditions by any officer authorised by him in writing."
- (3) After clause 12, the following clauses shall be inserted, namely:—
- "12A. Notwithstanding anything hereinbefore contained in this order, an authority competent to allot coal under this order shall allot it, subject to such conditions as the Central Government may specify.
  - 12B. A person who has been allotted coal under this order shall not use it otherwise than in accordance with the conditions contained or incorporated in the document containing the order of allotment and shall not divert or transfer any such coal to any other person except under a written authority from the Central Government.
  - 12C. Where, on any information received or otherwise, the Central Government is satisfied that a person who has been allotted coal under this order does not require the whole quantity of the coal so allotted or any part thereof for the purpose for which it was allotted, the Central Government may, by order in writing, direct such person to deliver the whole quantity of such coal or any part thereof, as the case may be, to such person and at such price as may be specified in the order.
  - 12D (1) Every person who has been allotted coal under this order shall maintain a record containing the following particulars, namely:—
    - (a) the quantity of coal allotted of each grade and size;
    - (b) the quantity consumed of each grade and size of coal; and
    - (c) the purpose for which it was consumed.
 (2) The Central Government, with a view to satisfying itself, that any coal allotted under this order is utilised for the purpose for which it was allotted, may call upon any person to submit such information or returns as the Central Government may deem fit.
  - 12E. No person shall acquire or purchase or agree to acquire or purchase any coal from a colliery and no colliery owner or his agent shall despatch or agree to despatch or transport any coal from the colliery except under the authority and in accordance with the conditions contained in a general or special authority of the Central Government."
- (4) In clause 15:
- (a) for the word and figures "13 and 14" the words and figures "12A, 12B, 12C, 12D, 12E, 13 and 14" shall be substituted.

- (b) for the words and brackets 'and the Deputy Coal Commissioner (Production)' and words and brackets 'the Deputy Coal Commissioner (Production) and the Joint Deputy Coal Commissioner (Distribution)' shall be substituted.

[No. 190.]

S. BHOTHALINGAM, Joint Secy.

*New Delhi, the 12th September 1950*

**S. R. O 641.**—In exercise of the powers conferred by section 4 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that the powers conferred on it by section 3 of the said Act shall in relation to salt be exercisable also by the Government of Patiala and East Punjab States Union subject to the following conditions namely:—

- (a) before making any order relating to any matter specified in clauses (a), (b), (c), (d), (f) and (g) of sub-section (2) of the said section the State Government shall obtain the concurrence of the Central Government;
- (b) no order made in the exercise of the aforesaid powers shall have effect so as to prohibit or restrict the export, from any place in the State to any place outside India, of any kind of salt.

[No. Salt 11(10)/49.]

PREM CHAND, Dy. Secy.

*New Delhi, the 12th September 1950*

**S. R. O. 642.**—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that the following further amendment shall be made in the Iron and Steel (Scrap Control) Order, 1943, namely:—

In sub-clause (2) of clause 1, for the words "British India", the words "India except the State of Jammu and Kashmir" shall be substituted

[No I(1)-4(62) ]

**S. R. O. 643** —In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that the following further amendment shall be made in the Iron and Steel (Control of Production and Distribution) Order, 1941, namely:—

In sub-clause (2) of clause 1, for the words "British India", the words "India except the State of Jammu and Kashmir" shall be substituted.

[No. 1(1)-4(62).]

N. R. REDDY, Under Secy.

## **MINISTRY OF AGRICULTURE**

*New Delhi, the 16th September 1950*

**S. R. O. 644** —In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (I of 1937), the Central Government is pleased to direct that the following further amendments shall




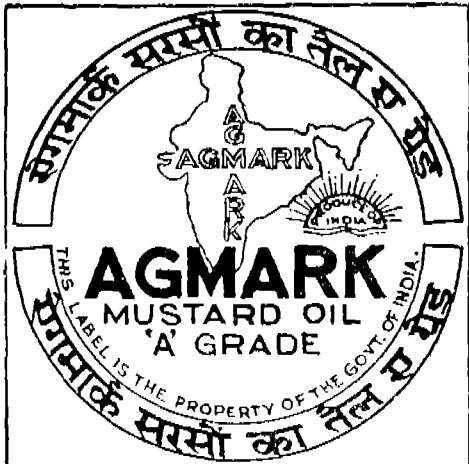
be made in the Edible Oils Grading and Marking Rules, 1989, the same having been previously published as required by the said section, namely:—

For Schedule IV to the said Rules, the following Schedule shall be substituted, namely:—

#### “SCHEDULE IV

(See rule 4)

(a) Grade designation marks for tins of mustard oil (Edible).

Grade designation	Design of the label	Colour of lettering of grade	Colour of the circular border of the label
(1)	(2)	(3)	(4)
Special	 <p>The label is circular with a double border. The outer border contains the text 'रेगमार्क सरसों का तेल स्पेशल ग्रेड' at the top and 'रेगमार्क सरसों का तेल स्पेशल ग्रेड' at the bottom. Inside the border, there is a map of India with 'AGMARK' written vertically across it. Below the map, the text 'AGMARK MUSTARD OIL SPECIAL GRADE' is written. At the bottom, it says 'THIS LABEL IS THE PROPERTY OF THE GOVT. OF INDIA.' and 'GOVT. OF INDIA' is written on the right side.</p>	Red	Red
Grade 'A'	 <p>The label is circular with a double border. The outer border contains the text 'रेगमार्क सरसों का तेल स्पेशल ग्रेड' at the top and 'रेगमार्क सरसों का तेल स्पेशल ग्रेड' at the bottom. Inside the border, there is a map of India with 'AGMARK' written vertically across it. Below the map, the text 'AGMARK MUSTARD OIL 'A' GRADE' is written. At the bottom, it says 'THIS LABEL IS THE PROPERTY OF THE GOVT. OF INDIA.' and 'GOVT. OF INDIA' is written on the right side.</p>	Blue	Blue

Grade  
designation

Design of the label

Colour of lettering  
of grade

Colour of the  
circular border of  
the label

(1)

(2)

(3)

(4)

(b) Grade designation marks for tins of groundnut oil (Edible).

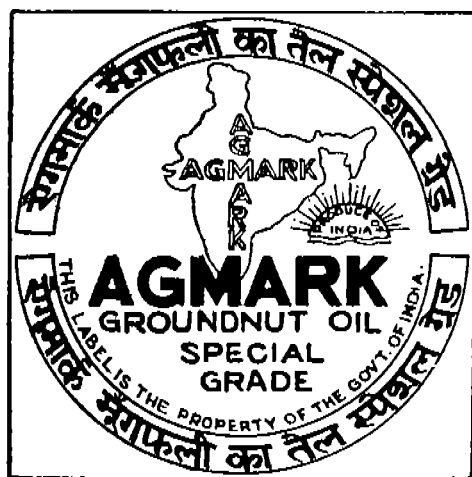
Special  
(refined)



Purple

Purple

Special



Red

Red

Grade  
designation

Design of the label

Colour of lettering  
of grade

Colour of the  
circular border of  
the label

(1)

(2)

(3)

(4)

Grade 'A'

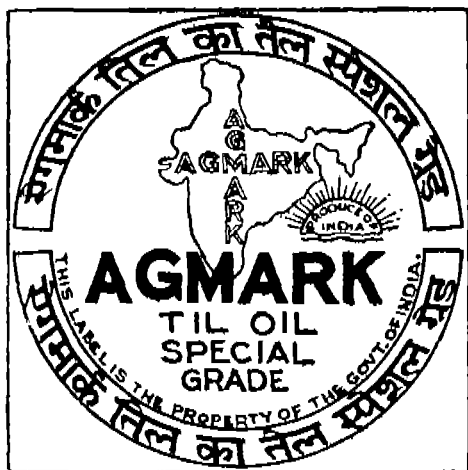


Blue

Blue

(c) Grade designation marks for tins of till or gingelly (Sesame) Oil (Edible).

Special



Red

Red

Grade  
designation

Design of the label

Colour of lettering  
of grade

Colour of the  
circular border  
of the label

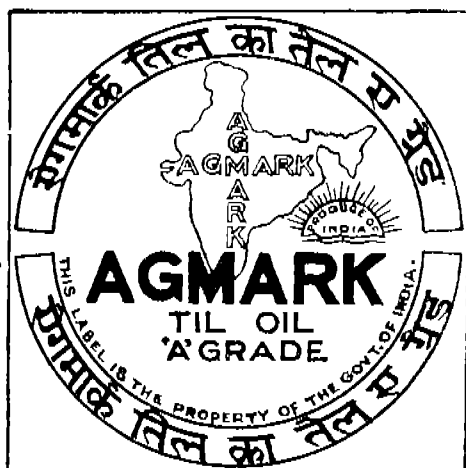
(1)

(2)

(3)

(4)

Grade 'A'



Blue

Blue

Note.—The labels shall be printed on Water Mark paper of the Government of India and shall have a micro-tint back-ground bearing words 'Government of India' in olive green colour.' [No. 10-205/49-Co.]

New Delhi, the 18th September 1950

**S. R. O. 645.**—In exercise of the powers conferred by Section 3 of the Agricultural Produce (Grading and Marketing) Act, 1937 (I of 1937), the Central Government is pleased to direct that the following further amendments shall be made in the Ghee Grading and Marking Rules, 1938, the same having been previously published as required by the said section, namely:—

For Schedule II to the said Rules the following shall be substituted, namely:—

**"SCHEDULE II**

Grade designation marks for Ghee (*See* Rule 4).

Grade  
designation

Design of label

Colour of lettering  
showing the grade

Colour of the  
circular border  
of the label

(1)

(2)

(3)

(4)

Special



Red

Red

Grade designation	Design of label	Colour of lettering showing the grade	Colour of the circular border of the label
(1)	(2)	(3)	(4)

General



Green

Green

Note.—The labels shall be printed on the Water Mark paper of the Government of India and shall have a micro-tint back-ground bearing the words "Government of India" in olive green colour."

[No. F. 4-2/50-Co.]

**S. R. O. 646.**—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (I of 1937), the Central Government is pleased to direct that the following further amendments shall be made in the Tobacco Grading and Marking Rules, 1937, the same having been previously published as required by the said section, namely:—

After Schedule X annexed to the said Rules the following Schedule shall be inserted namely:—

#### "SCHEDULE XI

Grade designations and definition of quality of unmanufactured sun-cured Desi tobacco (*Nicotiana Tobacum*) of chewing type grown in Bihar.

(See Rules 2 and 3)

Grade Designation	Special Characteristics			
	Colour*†	Texture†	Blemish **	Minimum Length † (in inches)
<b>GRADE I</b>				
Special . . . .	Reddish to dark brown	Thick	Nil	20
Large . . . .	do	Thick	Nil	16
Medium . . . .	do	Thick	Nil	12
Small . . . .	do	Thick	Nil	8

Grade Designation	Special Characteristics			
	Colour*†	Texture †	Blemish **	Minimum Length † (in inches)
<b>GRADE II</b>				
Special . . . . .	Brown	Medium	2/16	20
Large . . . . .	Brown	Medium	2/16	16
Medium . . . . .	Brown	Medium	2/16	12
Small . . . . .	Brown	Medium	2/16	8
<b>GRADE III</b>				
Special . . . . .	Light Brown	Medium	2/16	20
Large . . . . .	Light Brown	Medium	2/16	16
Medium . . . . .	Light Brown	Medium	2/16	12
Small . . . . .	Light Brown	Medium	2/16	8

\*Greenish tinge may be permitted in Grades 1 and 2 while greenish and/or brownish patches may be permitted in Grade 3.

†To allow for accidental errors in grading a tolerance of 1/16th for colour and texture and a tolerance of 10 per cent. for size in respect of leaves corresponding to the specifications in the next lower grade will be allowed.

\*\*Blemish shall include damage due to pests and disease, breakage in handling, dark spots or other damage. The figures of proportion given under this column refer to the total area of leaf affected in any sample.

[No. F. 4-1/50-Co.]

P. M. DAS GUPTA, Dy. Secy.

## MINISTRY OF REHABILITATION

*Delhi, the 18th September 1950*

**S. R. O. 647.**—In exercise of the powers conferred by the Displaced Persons (Claims) Act, 1950 (XLIV of 1950), the Central Government is pleased to direct that the following further amendment shall be made in the Displaced Persons (Registration of Claims) Rules, 1950, namely:

To sub-rule (1) of rule 3 of the said rules, the following proviso shall be added, namely:—

Provided that the Central Government may, from time to time, by a like public notice, extend the aforesaid period of three months by such period as it may deem fit.

[No. 1(1)/CCC/G-50.]

S. B. CAPOOR,  
Joint Chief Claims Commissioner  
and Joint Secretary.

**MINISTRY OF RAILWAYS**  
(Railway Board)

*New Delhi, the 12th September 1950*

**S. R. O. 648.**—In exercise of the power conferred by section 146 of the Indian Railways Act, 1890 (IX of 1890), the Central Government is pleased to extend the whole of the said Act, except section 135 thereof, to the Bhavnagar-Talaja-Mahuva and Morvi Tramways.

[No. 642-TG.]

*New Delhi, the 14th September 1950*

**S. R. O. 649.**—In pursuance of Section 32 of the Indian Railways Act, 1890 (IX of 1890), the Central Government is pleased to direct that the following further amendment shall be made in the notification of the Government of India in the Ministry of Railways (Railway Board) No. 2146-TC, dated the 20th February, 1950, namely:—

In item 2 relating to transhipment charge, after sub-clause (iii) of clause (a) the following shall be inserted namely:—

“(iv) Four pies per maund on the carrying capacity of the tank wagon used in respect of liquids in bulk transhipped at Dibrumukh on the Assam railway.

[No. 2146-TC.]

S. S. RAMASUBBAN, Secy.

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**MINISTRY OF LABOUR**

*New Delhi, the 14th September 1950*

**S. R. O. 650.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government is pleased to publish the following award of the Industrial Tribunal, Calcutta in the industrial dispute between banking companies and their employees in the State of Orissa:—

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

6, ESPLANADE EAST, CALCUTTA

Before F. Jeejeebhoy, Barrister-at-Law, Chairman.

**AWARD**

**BANK DISPUTES AT ORISSA**

This award is in continuation of my award concerning the Bank disputes at West Bengal and concerns cases from Orissa which have been filed before the Tribunal. They arose out of the Reference made by Notification No. LR-2(273), dated the 21st February 1950 of the Central Government.

*Reference No. 2 of 1950*

CENTRAL BANK OF INDIA LTD.

*Appearance:*

Shri S. R. Mukherjee, Assistant Cashier, Sambalpur Branch of the Bank for the employees.

Shri D. R. Munsif for the Bank.

There is one joint complaint from the staff of the Sambalpur Pay Office of the Central Bank of India signed by 12 members of the staff. They ask for

reliefs like rise in the starting salary, house allowance, fixation of working hours and the grading of officers. The Bank contends that all these matters are among the issues being dealt with by the other Banks' Tribunal set up under Ordinance No. 6 of 1949, that the matters now raised before this Tribunal have been the subject matter of investigation by the other Tribunal, and that this Tribunal had no jurisdiction to deal with these subjects. I have come to the conclusion that the Bank's contention is correct. The wage structure of the Banks is to be determined by the other Banks' Tribunal which is just concluding its labours; this Tribunal is seised of matters arising after June 1949 and not with matters which had previous thereto been referred to the other Banks' Tribunal. That being the case I have no jurisdiction to entertain the claims made by the staff of Sambalpur Pay Office and it is ordered accordingly.

Now, therefore, this Tribunal makes its award in terms aforesaid, this the 29th day of August 1950.

F. JEEJEEBHoy,  
Chairman, Central Government  
Industrial Tribunal, Calcutta.  
[I. R. 90(56).]

*New Delhi, the 15th September 1950*

**S. R. O. 651.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government is pleased to publish the following award of the Industrial Tribunal, Calcutta in the industrial dispute between banking companies and their employees in Delhi:—

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

6 ESPLANADE EAST, CALCUTTA-1

Before F. Joejeebhoy, Barrister-at-Law, Chairman.

*Reference No. 69 of 1950*

#### *Parties:*

B. N. Khosla . . . . . Employee.

#### *Versus*

Traders Bank Ltd. . . . . Employers

#### *Appearance:*

Shri Manohar Lal Bagai for the Bank.

Shri H. L. Purvana, President of Bharat Bank Employees' Union, appears on behalf of the employee.

#### AWARD

on an application under section 34 of the Industrial Disputes Act

#### BANK DISPUTES AT DELHI

It is not in dispute that the Traders Bank Ltd. have fared badly as a result of the partition, in consequence of which they entered into a scheme of arrangement with their creditors by which the creditors were to be paid their debts in stated instalments, and efforts were to be made to resuscitate the Bank.

B. N. Khosla joined the Bank in 1938 as a clerk in the Ludhiana branch. Four years later he was promoted to the rank of Accountant on a starting salary of Rs 100. On 30th May 1949, after the Bank found itself in difficulties, the Bank wrote to B. N. Khosla to take over complete charge of the Ludhiana branch adding "you will of course be working as accountant and you should also sign as such". This appointment brought no additional salary, although B. N. Khosla was the only person in charge of the office with the exception of two peons, and he combined the functions of Manager, accountant,



clerk and everything else. He was also given a power-of-attorney in form usually given to "Manager or Assistant Manager or Sub-Manager or Accountant or Sub-Accountant". By Ex. 2 which is his letter of 30th June 1949, B. N. Khosla informed the Bank that he had taken over complete charge of the office from the previous incumbent, and that letter is signed by him as Accountant. Of course Khosla knew that the Ludhiana Branch had been showing a loss and that there was a scheme of arrangement in existence, and he maintains that the conditions in the Ludhiana could not improve owing to the state of affairs in the Punjab. Khosla at first said that he always signed as Accountant and never as Manager or Agent or Cashier, even though he had to make 30 or 40 payments a day. But later he admitted that whenever he drew moneys from other Banks on behalf of the Ludhiana branch he used to sign "for Traders Bank—Manager", and he further states that he always signed in that way when acting under the power-of-attorney. By letter of 30th June 1950 D. N. Khosla was informed that the Lahore office having been closed his services were no longer required by the Bank and that they were terminating his services from the date thereof by paying him one month's salary in lieu of notice.

It is the contention of the Bank that as Khosla was the Manager of the Bank he does not come within the purview of the Industrial Disputes Act, and there is a good deal to be said for it. It is, however, contended by Khosla that in as much as his main work was clerical or the work of a cashier and accountant, he could not be said to be outside the scope of the Industrial Disputes Act, which defines a "workman" as a person employed to do any skilled or unskilled manual or clerical work for hire or reward.

It is urged on behalf of the employee that the Bank has contravened Section 33 of the Act in that it has without the permission of the Tribunal changed the conditions of service of the employee during the pendency of this Tribunal; and if Khosla can be held to be a 'workman', then undoubtedly the Bank has contravened Section 33 of the Act.

The question whether Khosla is a workman or not is a question of fact. During the course of the hearing it was pointed out to the Bank that if Khosla was a 'workman' and had been validly retrenched, he would undoubtedly be entitled to retrenchment relief. He has already had one month's notice, and the Bank without prejudice to their contentions, has offered to pay him two months' salary and allowances and all benefits to which he would ordinarily be entitled in full settlement. Khosla is not prepared to accept this, but I consider it a fair offer in the circumstances, and I direct the Bank do pay him forthwith two months salary, allowances and other benefits including earned leave pay. In ordering this I have taken into account two main considerations, firstly, that it will do no good to Khosla to obstinately pursue the claim that he was not the manager or acting in similar capacity, and secondly, that the Bank having compounded with its creditors could not reasonably be expected to pay retrenchment relief on the scale usually granted.

Now, therefore, this Tribunal makes its award in terms aforesaid, this the 29th day of August 1950.

[L.R.90(57)]

E. JEEJEEBHOOY, *Chairman, Central Government  
Industrial Tribunal, Calcutta.*

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#### ORDER

*New Delhi, the 12th September 1950*

**S. R. O. 652.**—Whereas an industrial dispute has arisen between the Empire of India Life Assurance Company Ltd., Bombay, and its workmen regarding

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the reinstatement of certain workmen retrenched after 31st July 1949:

And whereas the Central Government considers it desirable to refer the dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government is pleased to refer the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7 of the said Act.

[No. L.R. 90(53)]

S. C. AGGARWAL, Dy. Secy.